

Exhibit A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MISSOURI PRIMATE FOUNDATION, et al.,

Plaintiffs and Counterclaim
Defendants;

v.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INC., et al.,**

Defendants and
Counterclaim Plaintiffs.

Case No. 4:16-cv-02163

**OBJECTIONS AND RESPONSES TO COUNTERCLAIM PLAINTIFFS'
FIRST REQUESTS FOR ADMISSION TO COUNTERCLAIM DEFENDANT
CONNIE BRAUN CASEY**

COMES NOW Counterclaim Defendant Connie Braun Casey, by and through the undersigned counsel, and in response to Counterclaim Plaintiffs People for the Ethical Treatment of Animals, Inc.'s and Angela Scott's (together, "Counterclaim Plaintiffs") first requests for admission directed to Counterclaim Defendant Connie Braun Casey, states as follows:

INSTRUCTIONS AND DEFINITIONS

1. The words "and" and "or" shall be construed either conjunctively or disjunctively as necessary to make the requests inclusive rather than exclusive. The word "including" shall be construed to mean without limitation.
2. "Chimpanzees," when capitalized, refers to each and every chimpanzee that was housed at Missouri Primate Foundation ("MPF") at any time during the Relevant Time Period.

3. “Relevant Time Period” refers to any time from November 2, 2010 to the present.
4. “Structural enrichment” refers to enclosure design and furniture that add complexity to the environment and promote species-specific behavior (e.g. climbing, perching).
5. “Object enrichment” refers to objects that encourage inspection and manipulation and promote species-specific behavior (e.g., nesting, tool-use).
6. “Food enrichment” refers to varying food choices and food presentation, including the use of puzzles that increase food procurement time.
7. “Social enrichment” refers to affiliative interactions between caregivers and apes (e.g., grooming and playing chase) made on an individual basis, considering only the social needs of the animal.
8. “Species-typical behavior” refers to behaviors the species normally exhibits in a natural environment.

MATTERS REQUESTED TO BE ADMITTED

1. Confinement that fails to meet a chimpanzee’s basic physiological needs can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

2. Confinement that fails to meet a chimpanzee’s basic behavioral needs can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

3. Confinement that fails to meet a chimpanzee’s basic psychological needs can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

4. Confinement that fails to meet a chimpanzee’s basic needs for physical enrichment can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

5. Confinement that fails to meet a chimpanzee’s basic needs for psychological enrichment can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms.

Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

6. Confinement that provides insufficient space to meet a chimpanzee's needs can cause "harass[ment]" and/or "harm" as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey ("Ms. Casey") is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

7. Confining chimpanzees in unsanitary conditions can cause "harass[ment]" and/or "harm" as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey ("Ms. Casey") is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

8. Failure to provide timely and appropriate veterinary care to chimpanzees in captivity can cause "harass[ment]" and/or "harm" as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey ("Ms. Casey") is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

9. Failure to provide a wholesome and nutritious diet to chimpanzees in captivity can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

10. Confinement that fails to meet a chimpanzee’s needs to engage in social relations with other members of their species can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

11. Failure to provide chimpanzees in captivity with structural enrichment can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

12. Failure to provide chimpanzees in captivity with adequate object enrichment can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

13. Failure to provide chimpanzees in captivity with adequate food enrichment can cause “harass[ment]” and/or “harm” as those terms are used in 16 U.S.C. § 1532(19) and defined by 50 C.F.R. § 17.3.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

14. Failure to provide adequate social enrichment to chimpanzees in captivity can cause “harass[ment]” and/or “harm” as that term is used in 16 U.S.C. § 1532(19).

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

15. Foraging is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

16. Nest-building is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

17. Climbing is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

18. Brachiating is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

19. Playing is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

20. Tool use is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms.

Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

21. Socializing is an essential species-typical behavior of chimpanzees.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

22. When chimpanzees do not have the opportunity to forage in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

23. When chimpanzees do not have the opportunity to nest in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

24. When chimpanzees do not have the opportunity to climb in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms.

Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

25. When chimpanzees do not have the opportunity to brachiate in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

26. When chimpanzees do not have the opportunity to play in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

27. When chimpanzees do not have the opportunity to use tools in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

28. When chimpanzees do not have the opportunity to socialize in captivity, it significantly disrupts or impairs their normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

29. When chimpanzees in captivity are removed too early from their mothers, it significantly disrupts or impairs the development of normal behavioral patterns.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

30. During the Relevant Time Period, the Chimpanzees’ enclosures did not replicate chimpanzees’ natural habitat.

RESPONSE: Denied. The Chimpanzees’ enclosures did substantially replicate a chimpanzees’ natural habitat.

31. During the Relevant Time Period, the Chimpanzees’ enclosures did not meet the minimum standards recommended by the Global Federation of Animal Sanctuaries to promote the well-being of chimpanzees in captivity.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

32. During the Relevant Time Period, the Chimpanzees' enclosures did not meet the minimum standards recommended by the Association of Zoos & Aquariums to promote the well-being of chimpanzees in captivity.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey ("Ms. Casey") is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

33. During the Relevant Time Period, the Chimpanzees were not provided with an adequate program of structural enrichment.

RESPONSE: Denied. The Chimpanzees were provided with at least an adequate program for structural enrichment.

34. During the Relevant Time Period, the Chimpanzees were not provided with an adequate program of object enrichment.

RESPONSE: Denied. The Chimpanzees were provided with at least an adequate program for object enrichment.

35. During the Relevant Time Period, the Chimpanzees were not provided with an adequate program of food enrichment.

RESPONSE: Denied. The Chimpanzees were provided with at least an adequate program for food enrichment.

36. During the Relevant Time Period, the Chimpanzees were not provided with adequate social enrichment.

RESPONSE: Denied. The Chimpanzees were provided with at least an adequate program for social enrichment.

37. The inability of captive chimpanzees to seek privacy from humans or other animals can lead to stress, anxiety, and risk of injury.

RESPONSE: Objection, this is an improper Request that seeks a legal conclusion. To the extent Ms. Connie Braun Casey (“Ms. Casey”) is otherwise required to respond, Ms. Casey states as follows: Ms. Casey is without sufficient knowledge or information to admit or deny this Request, and therefore denies same.

38. During the Relevant Time Period, the Chimpanzees did not have the ability to seek privacy from humans or other animals.

RESPONSE: Denied. The Chimpanzees did have the ability to seek privacy from humans or other animals.

39. During the Relevant Time Period, the Chimpanzees were not housed in enclosures that approximate the complexity and variety of experiences that wild chimpanzees have.

RESPONSE: Denied. The Chimpanzees were housed in enclosures that reasonably approximate the complexity and variety of experiences that wild chimpanzees have.

40. During the Relevant Time Period, the Chimpanzees were not confined in a manner that met their basic behavioral needs.

RESPONSE: Denied. The Chimpanzees were confined in a manner that met their basic behavioral needs.

41. During the Relevant Time Period, the Chimpanzees were not confined in a manner that met their basic psychological needs.

RESPONSE: Denied. The Chimpanzees were confined in a manner that met their basic psychological needs.

42. During the Relevant Time Period, the Chimpanzees' enclosures did not provide sufficient space to meet their needs.

RESPONSE: Denied. The Chimpanzees enclosed did provide sufficient space to meet their needs.

43. During the Relevant Time Period, the Chimpanzees were housed in unsanitary conditions.

RESPONSE: Denied. The Chimpanzees were not housed in unsanitary conditions.

44. During the Relevant Time Period, the Chimpanzees were not provided with timely and appropriate veterinary care.

RESPONSE: Denied. The Chimpanzees were provided timely and appropriate veterinary care.

45. During the Relevant Time Period, the Chimpanzees did not have adequate opportunities to engage in foraging behavior.

RESPONSE: Denied. The Chimpanzees did have adequate opportunities to engage in foraging behavior.

46. During the Relevant Time Period, the Chimpanzees did not have adequate opportunities to engage in nest-building behavior.

RESPONSE: Denied. The Chimpanzees did have adequate opportunities to engage in nest-building behavior.

47. During the Relevant Time Period, the Chimpanzees did not have adequate opportunities to engage in climbing behavior.

RESPONSE: Denied. The Chimpanzees did have adequate opportunities to engage in climbing behavior.

48. During the Relevant Time Period, the Chimpanzees did not have adequate opportunities to engage in brachiating behavior.

RESPONSE: Denied. The Chimpanzees did have adequate opportunities to engage in brachiated behavior.

49. During the Relevant Time Period, the Chimpanzees did not have adequate opportunities to engage in tool use behavior.

RESPONSE: Denied. The Chimpanzees did have adequate opportunities to engage in tool use behavior.

50. During the Relevant Time Period, the Chimpanzees did not have adequate opportunities to engage in socializing behavior.

RESPONSE: Denied. The Chimpanzees did have adequate opportunities to engage in socializing behavior.

51. During the Relevant Time Period, the Chimpanzees exhibited abnormal behavior patterns.

RESPONSE: Denied. The Chimpanzees did not exhibit abnormal behavioral patterns.

Dated this 20th day of June, 2018.

Respectfully Submitted,

KLAR, IZSAK & STENGER, L.L.C.

By:

A handwritten signature in dark ink, appearing to read "D. Klar", is written over a horizontal line.

BRIAN D. KLAR, #36430

DANIEL T. BATTEN, #58810

Attorneys for Co-Defendant

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VERIFICATION

I, Connie Casey, hereby verify under penalty of perjury under the laws of the United States of America that the foregoing answers are true and correct to the best of my knowledge, information, and belief.

Executed on June 14, 2018.

Connie Casey

Name

individual

Title

CERTIFICATE OF SERVICE

I hereby certify that on **June 20, 2018**, the foregoing was service by first class mail, postage prepaid, to the following:

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/s/ Daniel T. Batten

A handwritten signature in black ink, appearing to read 'D. Batten', written over a horizontal line.